

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNILOC 2017 LLC,

Plaintiff,

v.

HTC AMERICA, INC.,

Defendant.

Case No. 2:18-cv-01732-RSM

**JOINT STIPULATION AND MOTION,
AND ORDER TO EXTEND THE
DEADLINES FOR OPENING AND
RESPONSIVE CLAIM
CONSTRUCTION BRIEFS**

**NOTED ON MOTION CALENDAR:
MAY 7, 2020**

JOINT STIPULATION AND MOTION

This Joint Stipulation and Motion is entered into by and between Plaintiff Uniloc 2017 LLC and Defendant HTC America, Inc., by their respective counsels.

In light of the COVID-19 pandemic and the Court's General Orders in response thereto, the parties respectfully request that the Court amend the schedule in this case, with each date moved back by approximately three months pursuant to the Proposed Order attached to this Motion. For example, the Court reset the *Markman* hearing to take place on June 29, 2020, but pursuant to General Order No. 07-20, all in-person hearings scheduled before July 1, 2020, were continued pending further order from the Court. Further, the current deadline to serve reports from expert witnesses pursuant to FRCP 26(a)(2) is May 14, 2020, but in light of various states'

orders to quarantine and/or stay at home, the parties have not been able to arrange an inspection of HTC's source code, which will—under the current understanding—require Uniloc's expert to travel to HTC's counsel's office to perform the inspection.¹ So too, discovery is currently set to close on July 13, 2020, but such depositions will require travel to, *inter alia*, Seattle, Los Angeles, Hawaii and Taiwan, travel which would be impossible given current conditions.

For the foregoing reasons, the parties respectfully request that these deadlines be modified as stipulated above.

Dated: May 7, 2020

Respectfully submitted,

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¹ The parties will consider alternatives to in-office inspection of the source code, should that option not be feasible, practical, or otherwise acceptable to all involved.

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ORDER

Based on the foregoing stipulation of the parties, IT IS SO ORDERED that the Order Setting Trial Dates and Related Dates, Dkt. No. 32, is amended as follows:

Event	Current Date	Amended Date
JURY TRIAL DATE	November 9, 2020	At the Court's convenience
<u>Markman</u> hearing at 9:00 AM on	6/29/2020	At the Court's convenience, preferably during July 2020
Reports from expert witnesses under FRCP 26(a)(2) due	5/14/2020	8/14/2020
Rebuttal expert reports due	6/12/2020	9/11/2020
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to CR7(d)(d)(3) or CR37(a)(2)(B)	6/11/2020	9/11/2020
Discovery completed by	7/13/2020	10/12/2020
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see CR7(d))	8/7/2020	11/6/2020
Settlement conference per CR 39.1(c)(2) held no later than	10/2/2020	1/6/2021
Mediation per CR 39.1(c)(3) held no later than	10/13/2020	1/13/2021
All motions in limine must be filed by and noted on the motion calendar for the third Friday thereafter pursuant to CR7(d)	10/13/2020	1/13/2021
Agreed pretrial order due	10/28/2020	12 days before trial

Event	Current Date	Amended Date
Trial briefs, proposed voir dire questions and jury instructions	11/4/2020	5 days before trial
Pretrial conference to be scheduled by the Court.		
Length of JURY Trial:		5 days

DATED this 7th day of May, 2020



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE